



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2014 REGULAR SESSION

SENATE BILL NO. 59

TUESDAY, FEBRUARY 4, 2014

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE April 7, 2014
4:13pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

1 AN ACT relating to motor carrier transportation contracts.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 281 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Motor carrier transportation contract" means a contract, agreement, or
7 understanding covering:

8 1. The transportation of property for compensation or hire by a motor
9 carrier;


10 2. The entrance on property by a motor carrier for the purpose of
11 loading, unloading, or transporting property for compensation or
12 hire; or

13 3. A service incidental to activity described in subparagraph 1. or 2. of
14 this paragraph, including but not limited to storage of property.

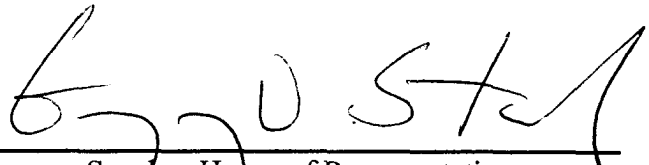
15 (b) "Promisee" means a person with whom a motor carrier enters into a motor
16 carrier transportation contract and any agents, employees, servants, or
17 independent contractors who are directly responsible to that person.
18 "Promisee" does not include the motor carrier party to a motor carrier
19 transportation contract with the promisee, and the motor carrier's agents,
20 employees, servants, or independent contractors directly responsible to the
21 motor carrier.

22 (2) A provision, clause, covenant, or agreement contained in, collateral to, or
23 affecting a motor carrier transportation contract that purports to indemnify,
24 defend, or hold the promisee harmless, or has the effect of indemnifying,
25 defending, or holding the promisee harmless, or requires a motor carrier to
26 procure liability insurance covering the acts or omissions or both of the promisee,
27 from or against any liability for loss or damage resulting from the negligence or

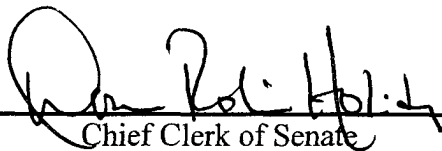
1 intentional acts or omissions of the promisee is against public policy and is void
2 and unenforceable.
3 (3) This section shall not apply to the Uniform Intermodal Interchange and
4 Facilities Access Agreement administered by the Intermodal Association of North
5 America or other agreements providing for the interchange, use, or possession of
6 intermodal chassis or other intermodal equipment.



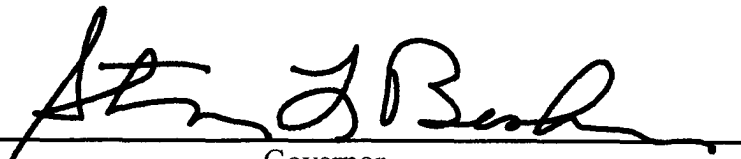
President of Senate



Speaker-House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 